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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. MANUEL LOMA-TORRES, Defendants.	Criminal Case No. 08CR0538-IEG APPLICATION FOR ORDER SHORTENING TIME

COMES NOW the plaintiff, United States of America, by and through its counsel, Karen P. Hewitt, United States Attorney, and Steven De Salvo, Assistant United States Attorney, and hereby moves this Court for an order shortening time to permit the Government to file its Supplemental Response and Opposition to Defendant's Supplemental Motion to Dismiss the Indictment. The grounds for this application are set forth in the attached declaration of counsel.

DATED: July 21, 2008

Respectfully submitted,

KAREN P. HEWITT
United States Attorney

s/Steven De Salvo

STEVEN DE SALVO
Assistant United States Attorney
Attorneys for Plaintiff

DECLARATION OF STEVEN DE SALVO

I, Steven De Salvo, hereby declare as follows:

1. I am an Assistant United States Attorney for the Southern District of California.

2. I am assigned to the above-captioned case, which is set for a Motion Hearing on August 8, 2008, at 2 p.m.

3. On July 7, 2008, the Court ordered supplemental briefing on the issue relating to the Defendant's motion to dismiss on the basis of the Presentment Clause. The court ordered that the Governemtn's brief be filed by July 14, 2008, one week later.

5. Due to the complexity of issues presented by Defendant's motion, and because I was engaged in trial from June 8 to June 10, 2008 (before Judge Houston), one week was insufficient time for the United States to prepare its response. Accordingly, the Unites States respectfully requests that the Court allow the Government's response to be filed late, on July 21, 2008.

Dated: July 21, 2008 /s/ Steven De Salvo

STEVEN DE SALVO
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. MANUEL LOMA-TORRES, Defendant.	Criminal Case No. 08CR0538-IEG CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED THAT:

I, STEVEN DE SALVO, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of GOVERNMENT'S RESPONSE AND OPPOSITION TO DEFENDANT'S SUPPLEMENTAL MOTION TO DISMISS THE INDICTMENT on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System.

Jennifer Coon, Federal Defenders

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 21, 2008.

s/ Steven De Salvo
STEVEN DE SALVO